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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/770,716	02/03/2004	Kwong Heng Kwok	PA030006	2288

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EXAMINER

JONES, HEATHER RAE

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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01/02/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/770,716	Applicant(s) KWOK ET AL.	
	Examiner Heather R. Jones	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5 and 6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5 and 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed September 24, 2007 have been fully considered but they are not persuasive.

The Applicant argues on page 5, line 23 – page 5, line 2 that Takimoto fails to disclose automatically starting a further recording when the detecting means detects a change in the video standard (claim 1) and detecting a change in the video standard and then starting another recording (claim 3). The Examiner respectfully disagrees. Takimoto discloses in Fig. 1, col. 3, lines 35-67 that an input signal is sent to a recording process circuit (32) for subjecting the video signal digitized by the A/D converter to predetermine processing such as time-base processing confirming to a track format. The information is then sent back to the CPU as well onto other components, but the CPU takes that information and sends it to the subcode generating circuit which creates the subcode to be added to the recording in order to distinguish which format the video signal is. Therefore, when a different format is inputted to the recorder it will be processed and the CPU will alert the recorder and the subcode generating circuit which format it needs to be recording in. Therefore, Takimoto meets the claim limitations and the rejection is maintained.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 3, 5, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Takimoto (U.S. Patent 5,966,496).

Regarding claim 1, Takimoto discloses a video recorder comprising: a source of a digital stream representing a video signal in one of a plurality of video standards; means for recording the digital stream on a medium as a recording among a plurality of recordings (col. 11, lines 61-63); means for recording an indicator of the video standard for the recording (col. 12, lines 8-11); means for detecting the video standard of the video signal thereby generating the indicator (Fig. 1; col. 3, lines 64-67); wherein the recording means automatically starts a further recording when the detecting means detects a change in the video standard (Fig. 3; col. 3, lines 35-67 – displays every track has a subcode that identifies the track's video standard, which means that one track cannot have more than one kind of video standard recorded in it. Therefore, a new track is created when the video standard changes.).

Regarding claim 3, Takimoto discloses a process for recording a digital stream on a medium as a recording among a plurality of recordings, the digital stream representing a video signal in one of a plurality of video standards, with the steps of: detecting the video standard of the video signal (Fig. 1; col. 3, lines 64-67); recording an indicator of the video standard for the recording (col. 12,

lines 8-11); detecting a change in the video standard of the video signal (the CPU detects the video standard); and recording the digital stream as a further recording (Fig. 3; col. 3, lines 35-67 – displays every track has a subcode that identifies the track's video standard, which means that one track cannot have more than one kind of video standard recorded in it. Therefore, a new track is created when the video standard changes.).

Regarding claim 5, Takimoto discloses a process for recording a digital stream on a medium, the digital stream representing a video signal in one of a plurality of video standards, with the steps of: recording the digital stream as a first recording (col. 11, lines 61-63); detecting a change from a first video standard to a second video standard (the CPU detects the video standard); recording the digital stream as a second recording (Fig. 3; col. 3, lines 35-67 – displays every track has a subcode that identifies the track's video standard, which means that one track cannot have more than one kind of video standard recorded in it. Therefore, a new track is created when the video standard changes.).

Regarding claim 6, Takimoto discloses all the limitations as previously discussed with respect to claim 5 including the step of: recording an indicator of the second video standard for the second recording (Fig. 3; col. 12, lines 8-11 and 18-22 – displays every track has a subcode that identifies the track's video standard).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather R. Jones whose telephone number is 571-272-7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Heather R Jones
Examiner
Art Unit 2621

HRJ
December 22, 2007



JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600